

**MINUTES
LAKE COUNTY ZONING BOARD
APRIL 4, 2007**

The Lake County Zoning Board met on Wednesday, April 4, 2007 in the Commission Chambers on the second floor of the Round Administration Building to consider petitions for rezonings, conditional use permits, and mining site plans.

The recommendations of the Lake County Zoning Board will be submitted to the Board of County Commissioners at a public hearing to be held on Tuesday, April 24, 2007 at 9:00 a.m. in the Commission Chambers on the second floor of the Round Administration Building, Tavares, Florida.

Members Present:

Timothy Morris, Vice Chairman	District 1
James Gardner, Secretary	District 3
Phyllis Patten	District 4
Paul Bryan, Chairman	District 5
Mark Wells	At-Large Representative

Members Not Present:

Scott Blankenship	District 2
Larry Metz	School Board Representative

Staff Present:

R. Wayne Bennett, AICP, Planning Director, Planning and Community Design Division
Brian Sheahan, AICP, Chief Planner, Planning and Community Design Division
Rick Hartenstein, Senior Planner, Planning and Community Design Division
Stacy Allen, Senior Planner, Planning and Community Design Division
Karen Rosick, Planner, Planning and Community Design Division
Denna Levan, Associate Planner, Planning and Community Design Division
Sherie Ross, Public Hearing Coordinator, Planning and Community Design Division
Ross Pluta, Engineer III, Engineering Division
Melanie Marsh, Deputy County Attorney

Chairman Bryan called the meeting to order at 9:00 a.m. He led in the Pledge of Allegiance and gave the invocation. Chairman Bryan confirmed the Proof of Publication for the case as shown on the monitor. He noted that a quorum was present. He explained that anyone wishing to speak should complete a speaker card that can be found on the table at the rear of this room. Chairman Bryan stated that all exhibits presented at this meeting by staff, owners, applicants, and those in support or opposition must be submitted to the Public Hearing Coordinator prior to proceeding to the next case.

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Minutes

MOTION by Timothy Morris, SECONDED by James Gardner to approve the March 7, 2007 Lake County Zoning Board Public Hearing minutes, as submitted.

FOR: Morris, Gardner, Patten, Bryan, Wells

AGAINST: None

NOT PRESENT: Blankenship, Metz

MOTION CARRIED: 5-0

CASE NO.: PH#17-07-5

AGENDA NO.: 1

OWNER: Wesley D. Scovanner, et al
APPLICANT: LPG Urban and Regional Planners, Inc.

Karen Rosick, Planner, presented the case and staff recommendation of approval. She showed the aerial from the staff report on the monitor. She noted that a caretaker's residence is also proposed and gave the definition for a seminary. She explained that each training session will consist of 40 people and will be held six times per year. These sessions will be held on weekends, and the people will be flown in and transported via shuttle bus. Three times a year a semi-truck will deliver to the storage area. There will be 15 people for the immediate use, and 25 employees in the future. The future expansion would be for a missionary from Africa to stay there for approximately a month. The proposed rezoning is consistent with Policy 1-1.5 that requires compatibility with the surrounding lands uses and future development patterns. The parcel is adjacent to an existing church camp to the east, which is within CFD zoning. The Rafiki Foundation is proposing to keep the integrity of the property by clustering the seminary buildings in the existing cleared portion of the property and minimizing vegetation removal, leaving the property heavily wooded. The creation of a walking path through the property is also proposed, which would include informational trail signs providing education on listed species that could occur in the area. If approved, the following changes must be made to the Ordinance in addition to any changes adjusted by the Board.

1. Under Section 1.A, "Rafiki Foundation, a nonprofit religious organization" should be struck through.
2. Section 1.I. shall read "Informational signs on listed species potentially occurring on the site shall be located every 100 feet along the walking trail."

Ms. Rosick submitted as County Exhibit A and read into the record a portion of an e-mail received from Keith Schue of The Nature Conservancy regarding his suggestions for the Ordinance.

Greg Beliveau of LPG Urban and Regional Planners submitted a general location map as Applicant Exhibit A and an outline on The Rafiki Foundation as Applicant Exhibit B. This site will be utilized for the training of missionaries to go to Africa. No one from Africa will be brought to this site. The training will take place every other month over a weekend. Lake County was chosen for this facility because there are many people in this area who have available time and talents to be utilized for this purpose. Fifteen staff members will work out of this location and operate the facility in its initial phases; 25 staff members could be utilized at its maximum build out. He had no problem with those figures being included in the Ordinance. The site is close to a fire station and emergency services. He submitted an aerial as Applicant Exhibit C. He noted the impacted area in the center of the property and impacted trails throughout the site. The site is very heavily vegetated. He submitted a site plan as Applicant Exhibit D. They have clustered the structures in the area that was previously impacted. All the existing vegetation will remain untouched. There is almost a 300-foot setback to the nearest structure along the area of residential neighborhood. The one new impact to the property is the road going into the property from CR 44A. There are 14 structures on the property with a total of 22,000 square feet. They would like to maintain that square footage rather than the 20,000 square feet Keith Schue had suggested. The design of this layout is similar to the design of how the facilities in Africa are laid out. The size of the structures will be small. All building and fire requirements will be met. He submitted a picture of one of the buildings as Applicant Exhibit E. The trail system will be a meditative trail system. Benches will be placed along the trail. Conservation easements will be placed on the open space. This is a very low-intensity operation with low traffic impacts. Its highest intensity use will be every other month for one weekend.

When Timothy Morris asked how many houses could be placed on this parcel if it was zoned Agricultural Residential (AR), Mr. Beliveau said 20 houses would be allowed. In response to Mr. Morris, Mr. Beliveau said septic tanks would be utilized.

Phyllis Patten was informed by Mr. Beliveau that the new gopher tortoise guidelines no longer allow take permits for gopher tortoises. He did not think take permits were available for any species. They have not

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found anything on the site that concerns them.

In response to Mr. Morris, Mr. Beliveau said it was not his recommendation to make the changes in the Ordinance that Ms. Rosick spoke of earlier.

Although he had submitted a speaker card, Robert Townsend said he no longer wished to speak.

Timothy Hill, resident of the adjacent Forest Del Subdivision, said his house borders the southwest corner of the subject site. He stated that initially he was not in favor of this project; but after hearing Mr. Beliveau's presentation, he does like it better. He was concerned about residents living on the property; but from the presentation, it appears that is not so. It was also indicated in the presentation that rules will be put in place so the rest of the site cannot be developed in the future. Chairman Bryan agreed. He was concerned about the new wells, the amount of water to be used, and how that would impact his well. In response to Mr. Hill's question about fire services, Chairman Bryan said it may be necessary to have fire flow water available. Mr. Beliveau or staff may be able to address that question. Mr. Hill said this is a natural woodland, and there is a lot of wildlife. He would prefer to have this land preserved, but this may be a good compromise.

Martin Clement, resident of the Forest Del Subdivision, said he strongly objects to this development. He was concerned about the impact on the social services that are already stressed in the area. He was also concerned about the growth in the area. If this rezoning request is not denied at this public hearing, he would like some time in order for the residents to obtain copies of the plan showed by Mr. Beliveau so they can review and understand those plans. Mr. Beliveau gave a good presentation, but Mr. Clement said he did not have any of that information. Regarding Mr. Clement's request, Chairman Bryan said he was sure that Mr. Beliveau would be happy to provide any information that Mr. Clement needs prior to the Board of County Commissioners (BCC) public hearing. Chairman Bryan asked Mr. Clement if he felt this development would be more environmentally sensitive than if it was developed into a minimum of ten home sites and possibly 20 based on the current land use. Mr. Clement said that listening to the presentation did take away some of the nervousness that he had about the project. When Mr. Clement asked how the residents can know that the applicant will do what he says he will do with this project, Chairman Bryan said this will be done through the Ordinance. Once the zoning is changed, Mr. Clement said it will be difficult to go back to Rural.

Debra Tucker said this development will be in her front yard. She knew little about this development and had not spoken with any of the representatives for this foundation until this public hearing. Her concerns are similar to those already noted by the residents. She would appreciate the residents being included in future discussions.

Tom Bergstresson asked where the people who will be visiting the site every other month will stay. He was concerned about impacts from traffic, lighting, and noise. He lives on the south side of the site on Hart Ranch Road. He felt this would be better than a lot of houses. However, he did not want to see the plan keep changing as it develops. Chairman Bryan said the impact on the traffic should be minimal. It appears these people will arrive in a van from the airport.

Barbie Richardson said she did not wish to speak.

Kimmie Reed said she was speaking for both herself and her husband, Monte. They also live in the Forest Del Subdivision, backing up to the subject property. Her concern was about the commercial zoning. This is a very quiet, tranquil neighborhood. She would like to be more informed. In response to Ms. Reed, Chairman Bryan explained that this request is for the 57 acres only, and it is not a commercial rezoning request. It is a Community Facility District (CFD) rezoning request. When Mr. Morris asked about the

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nearby Bible camp, Ms. Reed said they have no problem with that. She felt part of the problem is the misinformation or lack of information on this development. In response to James Gardner, Ms. Reed said she lives about one-quarter mile from the site.

Terry Aston, abutting property owner, said he is very much opposed to this project. He did not want training for an African village in his backyard. He spoke of the wildlife in this area. He was concerned about a decrease in their property values as well as the change in their way of life. He questioned why a trail system is needed. He was also concerned about the water usage and the additional traffic. Chairman Bryan asked if Mr. Aston can see the cleared area in the center of the property, Mr. Aston said he was not aware that there was a cleared area. He agreed that it is a very densely wooded area. He asked if it would remain that way.

Mr. Morris asked that pictures of the posted sign be placed on the monitor as that may show how dense the property is.

Wendy Aston, abutting property owner, said she has future concerns. She was concerned about the loss of homes for the wildlife. If this project does not work out and the property must be sold, she was concerned about other types of development that would be allowed under this zoning classification. This request appears to be inconsistent with the future plan of a protected rural area. Chairman Bryan explained that each request in CFD zoning is tied to a specific use and a specific ordinance. Any future use would be required to go through the process again. CFD zoning does not allow an open-ended use of the property. When Ms. Aston asked if this would open up the surrounding area for future rezoning, Chairman Bryan said this would not have any impact on future requests.

Keith Schue was present to represent The Nature Conservancy, which also is a nonprofit organization. Their mission statement is to preserve plants, animals and natural communities that represent the diversity of life on earth by protecting the lands and waters that they need to survive. He said the site plan submitted is an excellent site plan. It protects substantial open tree canopy and native vegetation in a clustered configuration and provides ample buffering to the neighboring rural areas. He felt it was refreshing to see this type of site plan; it shows an awareness of the relationship between man and God and God's creation as well. Regarding the concerns of the residents, he said it is important that the language in the Ordinance reflects the excellent site plan submitted. The Nature Conservancy has made some suggestions regarding commitments to protect the open space on the site, such as 80 percent open space that gives the protection of the tree canopy and native vegetation.

As requested by Mr. Morris, Ms. Rosick placed a picture of the posting on the screen (County Exhibit B).

Mr. Schue said The Conservancy also felt it would be advisable to have some limitation on the overall magnitude of structures that exists. From the presentation given by Mr. Beliveau, it appears that is their intent. Chairman Bryan said it was his understanding that there would be 14 structures and 22,000 square feet. If that type of content was contained within the Ordinance, Mr. Schue felt it would add a level of security that he felt would ensure that the environment would be protected in the long term as well as maintain the values of the people in the community to protect the rural way of life.

When Mr. Morris asked how the suggested 80 percent of open space was determined, Mr. Schue said the site plan appears to show that much open space. That is over and above what most developments would provide. The 80 percent open space and 20,000 square feet of buildings were suggested based on the site plan, recognizing that this was an appropriate configuration that was conducive to protecting the environmental system. Chairman Bryan said this Board could recommend that the site plan be part of the Ordinance.

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Phyllis Patten spoke of the species survey requirement.

Carlton Pettway said he was present to gather as much information as possible and be an informed resident in this community. He had no further comments as other residents have resonated many of his feelings.

Kristi Bostwick said she mirrors the concerns of her neighbors about the wildlife and traffic. She said she has three small children. Her property abuts the subject site. There will be nature trails and many wooded areas. She asked whether there will background checks on the people who will be on the other side of the fence while her children are playing in her yard.

Brian Sheahan, AICP, Chief Planner, reiterated that the Ordinance would be limited to a very specific use. Any additional use or change of use would require that it go back through the public hearing process, and the neighboring property owners would be noticed. The current zoning would allow up to 11 units to be built by going through the platting process without a public hearing. That impact is a potential use now. If there are noise issues, those can be filed with Code Enforcement and addressed through the existing LDRs.

Mr. Sheahan suggested the following conditions for consideration by the Board:

The development shall be consistent with the conceptual site plan provided. That would allow some flexibility for the applicant to move some buildings around, but it would still have to be roughly consistent with the plan attached to the Ordinance.

Eighty percent of contiguous open space shall be provided on the site.

The development shall be limited to 22,000 square feet of building space.

He felt the applicant would be amenable to these conditions if the Board so ordered.

Ms. Patten commented that another concern is lighting. Mr. Sheahan said there are provisions in the existing Ordinance regarding lighting. They are fairly typical for that area. The County is moving toward implementing more of the dark sky standards. For a site of this size and the typical buildings, there should be no high-intensity lighting. He discussed different types of lighting available.

Mr. Beliveau said they were going to offer the dark sky requirements. He had no problem adding that condition to the Ordinance. There will be one caretaker's residence on the site with a person living there. The project will contain over 80 percent of open space. The environmental assessment was completed last week. An inventory of species will be done. There is ample space to address the gopher tortoise issue so relocation can take place on site. They are utilizing only areas that have been previously impacted for their facilities. This organization is very cognizant of wildlife. The buildings will not be huts; they will be built to the standard building code. The traffic generated by this training facility will be less than would be generated by 11 houses. If the stipulations in the CFD Ordinance are not followed, it would be voided; and the property would revert back to its current Rural designation. He said he had checked with County staff to learn of any responses from the neighborhood; only four phone calls and one letter had been received so he was not aware of the interest in this property. Before the public hearing, he had asked for a contact person so he could meet with the residents and give them more information prior to the BCC public hearing. Chairman Bryan felt the lack of information is as much of an issue as any concern. He appreciated Mr. Beliveau's extra effort to provide information to these residents. In response to Chairman Bryan, Mr. Beliveau said they will have to comply with fire protection requirements. There will be a well site on the property. The well impacts on the site will be less intensive than 11 houses.

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When Mark Wells said he did not see any retention ponds on the site plan, Mr. Beliveau said that at this level, they are not drawn in. He pointed out the area in which they would probably be located when they are designed. The project must comply with St. Johns River Water Management District regulations as well as the new Wekiva Study Area standards.

In response to Ms. Patten, Mr. Beliveau said the people training at the site will not stay overnight at the facility. They will stay at local hotels or homes in the area. There will be no dormitories. Ms. Patten was informed by Mr. Beliveau that future expansion would include future training facilities or other offices. They plan to expand to 25 employees. The 22,000 square foot limitation includes future buildings.

Chairman Bryan confirmed that this facility will be used 12 days a year for training missionaries. The offices will be used on a regular basis, and the caretaker's residence will be occupied throughout the year.

Mr. Morris asked if this facility is affiliated with any religious organization. Mr. Beliveau said it is affiliated with an Evangelical organization, but it is multi-denominational. Regarding the question about background checks, Mr. Beliveau said he would have to check with the organization and report back at the BCC public hearing.

Mr. Morris felt this was a very low-intensity use for 50+ acres with a great conceptual plan

MOTION by Timothy Morris, SECONDED by Phyllis Patten to recommend approval of CFD zoning for the construction of a seminary to be used in conjunction with a training facility with the following conditions:

1. The development shall be consistent with the conceptual site plan provided.
2. Eighty percent of contiguous open space shall be provided on the site.
3. The development shall be limited to 22,000 square feet of building space.
4. Dark sky lighting shall be utilized.
5. There shall be no overnight guests except for the caretaker's residence.

FOR: Morris, Patten, Bryan, Wells

AGAINST: Gardner

NOT PRESENT: Blankenship, Metz

MOTION CARRIED: 4-1

Election of Officers

MOTION by James Gardner, SECONDED by Timothy Morris to retain the same officers for next year who are currently serving as officers for the Zoning Board: Paul Bryan, Chairman; Timothy Morris, Vice Chairman; and James Gardner, Secretary.

FOR: Morris, Gardner, Patten, Bryan, Wells

AGAINST: None

NOT PRESENT: Blankenship, Metz

MOTION CARRIED: 5-0

Adjournment

There being no further business, the meeting was adjourned at 10:15 a.m.

Respectfully submitted,

Sherie Ross
Public Hearing Coordinator

Paul Bryan
Chairman